

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

BID FOR POSITION, LLC,

Plaintiff/Counterclaim Defendant,

v.

Civil Action No. 2:07cv582 (JBF-TEM)

AOL LLC,
GOOGLE INC.,
MICROSOFT CORP.,
and MIVA, INC.,

Jury Trial Demanded

Defendants/Counterclaim Plaintiffs.

**NOTICE TO ALLOW GOOGLE INC. TO SEAL CERTAIN EXHIBITS TO THE
DECLARATION OF EMILY C. O'BRIEN AND PORTIONS OF THE BRIEF IN
SUPPORT OF DEFENDANT GOOGLE INC.'S MOTION FOR A PROTECTIVE
ORDER BARRING TESTIMONY RELATED TO PLAINTIFF'S 30(b)(6) DEPOSITION
NOTICE AND DEPOSITION NOTICES BEYOND THE 10-DEPOSITION RULE**

PLEASE TAKE NOTICE that Defendant, Google Inc. ("Google"), by counsel, in the referenced matter has petitioned the Court to grant leave for it to file certain exhibits, including Exhibits 9, 10, 12, 13, 14, 15 and 22, to the Declaration of Emily C. O'Brien (collectively, "Confidential Exhibits") and portions of its Brief in Support of Defendant Google Inc.'s Motion for a Protective Order Barring Testimony Related to Plaintiff's 30(b)(6) Deposition Notice and Deposition Notices Beyond the 10-Deposition Rule ("Portions of the Brief in Support") under seal. The Confidential Exhibits and Portions of the Brief in Support contain information and testimony containing sensitive and valuable proprietary information relating, among other things, to the technical details of how certain Google systems operate, the parties' discovery disputes and certain expert contentions in this matter. This information is designated as "Confidential Attorneys' Eyes Only" under the Protective Order entered in this matter. Failing to file the

Confidential Exhibits and Portions of the Brief in Support under seal may risk the disclosure of Google's confidential, trade secret information, would violate the Protective Order and potentially would cause competitive harm.

In compliance with Local Rule 5 of the Rules of this Court and *Ashcraft*, the Court posts the following notice to the public: "This serves as public notice that the Defendant, Google Inc., has moved the Court to seal Exhibits 9, 10, 12, 13, 14, 15 and 22 to the Declaration of Emily C. O'Brien and portions of its Brief in Support of Defendant Google Inc.'s Motion for a Protective Order Barring Testimony Related to Plaintiff's 30(b)(6) Deposition Notice and Deposition Notices Beyond the 10-Deposition Rule. Objections to this Motion should be filed in the Civil Section of the Clerk's Office. The Notice will be posted for a minimum of forty-eight (48) hours."

Dated: July 3, 2008

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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